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Chairman: Mr. Priputen (Vice-Chairman) ..... (Slovakia)

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In the absence of the Chairman, Mr. Priputen (Slovakia), Vice-Chairman, took the Chair.

The meeting was called to order at 3.20 p.m.

Agenda item 113: Promotion and protection of the rights of children (*continued*)

Draft resolution on the Office of the Special Representative for Children and Armed Conflict (A/C.3/58/L.28)

1. **Mr. Dangwe Rewaka** (Gabon) introduced draft resolution A/C.3/58/L.28. In his report (A/58/328), the Special Representative for Children and Armed Conflict had drawn attention to the financial situation of his Office, which was funded solely through voluntary contributions. The draft resolution recommended that the Office should be supported through regular budgetary funding, in order to give it greater financial stability.

2. **The Chairman** said that Burkina Faso and Niger had joined the sponsors of the draft resolution.

Agenda item 114: Programme of activities of the International Decade of the World's Indigenous People (*continued*)

Draft resolution on the International Decade of the World's Indigenous People (A/C.3/58/L.27)

3. **Mr. Halstrom** (Finland) introduced draft resolution A/C.3/58/L.27 on behalf of the Nordic countries, as well as Argentina, Peru and Switzerland, which had also joined the sponsors. Informal consultations had been held on the draft resolution with the aim of producing a balanced text. The adoption of a draft declaration on the rights of indigenous peoples was a major aim of the Decade, and as the Decade approached its end, she hoped that the review being conducted would be fruitful.

4. **The Chairman** said that Bolivia, Burkina Faso, the Central African Republic, Costa Rica, El Salvador, Gabon, Paraguay and The former Yugoslav Republic of Macedonia had joined the sponsors of the draft resolution.

Agenda item 115: Elimination of racism and racial discrimination (*continued*)

(a) Elimination of racism and racial discrimination (A/58/3, A/58/18, A/58/80-E/2003/71, A/58/313)

(b) Comprehensive implementation of and follow-up to the Durban Declaration and Programme of Action (A/58/324, A/58/331)

Agenda item 116: Right of peoples to self-determination (*continued*) (A/58/115, A/58/180)

5. **Ms. Porat** (Israel) said that the need for a fresh working definition of racism was more urgent than ever for two reasons. First, the rapid expansion of cyberspace could be misused by extremist groups for incitement to hate crimes, and a clear definition would enable the passage of legislation against such crimes and its enforcement. Second, one of the lessons of the Durban Conference against Racism was that the indiscriminate labelling of conflicts, whether national, religious, territorial or military, as expressions of racism should be opposed, as the fear of the other — known as heterophobia — was being exploited by politicians and pressure groups.

6. Efforts to educate against racism had been ongoing since the Durban Conference and should be commended. She drew particular attention to the January 2000 Stockholm International Forum on the Holocaust and the efforts to use it as a primary educational tool in the 45 countries which had attended. The experience gained could be used to form a parallel task force for education against racism within the United Nations system. Israel itself was a highly diverse country, with more than 100 languages spoken within its borders and significant and varied Jewish, Muslim and Christian religious communities. As part of the effort to eliminate discrimination, a collection of legislation against racism and related intolerance enacted by United Nations Member States had been compiled by Tel Aviv University. The process of updating that collection could take place under the aegis of the Committee, in order to provide a full picture of global legislation on those issues.

7. Turning to the issue of self-determination, Israel recognized the rights of peoples to self-determination throughout the world, including the Middle East. Israel's founders had a vision of establishing a modern state in the ancient homeland of the Jewish people,

thereby realizing their right to self-determination while living in peace and security with their neighbours. Israel respected the rights of its neighbours, including the Palestinian people, to self-determination. It did not wish to dominate them or control their destiny, and was committed to a two-State solution. However, the right of self-determination could not be used to legitimize any action undertaken in its name, including violence. Some of the most severe disputes in history had occurred among groups of the same ethnic origin, as was the case in the Middle East. That conflict was not racist, religious or cultural, but political, and could be resolved only by political dialogue based on mutual respect and compromise. Instead, the Palestinian leadership had placed obstacles in the path of their own self-determination and had chosen the route of inaction and complicity in terrorism.

8. In March 1994, the United Nations Commission on Human Rights had taken a decision to the effect that anti-Semitism was a form of racism, along with other related forms of discrimination such as Islamophobia. Indeed, the final draft of the Durban Programme of Action repeatedly mentioned anti-Semitism alongside Islamophobia. In response to the concerns expressed, it was her delegation's firm belief that both phenomena deserved to be addressed appropriately in the Committee and by the Special Rapporteur of the Commission on Human Rights on racism, racial discrimination, xenophobia and related intolerance. After 11 September 2001, much attention in the Western world had been focused on the question of whether there was some kind of evil inherent in Islam. It was precisely that kind of false attribution of evil to various human groups that was the essence of racism.

9. **Mr. Xie** Bohua (China) said that, in order to eliminate racism and racial discrimination, both the phenomenon and its root causes must be addressed. Governments bore primary responsibility for advocating dialogue among civilizations and raising public awareness of the danger of racism and racial discrimination. The restoration of the rights of the Palestinian people, including the right of self-determination, would provide the key to lasting peace in the Middle East. His Government deplored the decision of the Israeli Government to continue the construction of the separation wall and the expansion of settlements. The wall would not solve Israel's fundamental security problems and would only deepen mutual hostility and hatred. He hoped that the parties concerned would take a long-term view and break the vicious circle of violence by returning to the negotiations.

10. The right to self-determination applied to peoples under foreign occupation, and must not be seen as authorizing any action to dismember a sovereign State or violate its territorial and political integrity. It was the common aspiration of all the Chinese people to maintain the sovereignty and territorial integrity of China, but in recent years, under the pretext of national self-determination, some groups had been undermining its sovereignty and unity. That was a wilful trampling of the norms of international law, but his delegation was confident that truth and justice would prevail.

11. **Mr. Dhakal** (Nepal) said that his delegation attached great importance to the work of the United Nations to combat racism and racial discrimination. The Office of the High Commissioner for Human Rights had played a leading role in the implementation of the Durban Declaration and Programme of Action, and in effective coordination with the Committee on the Elimination of Racial Discrimination.

12. Migration had been both a cause and a consequence of racial, ethnic and gender discrimination. Migrants who attempted to escape discrimination by moving to another country were often subjected to discrimination in the host country. The entry into force of the International Convention on the Protection of the Human Rights of All Migrant Workers and Members of Their Families would be a significant step in protecting them. High illiteracy rates, poor access to health care, limited employment opportunities, poverty and social exclusion had also made women one of the most vulnerable segments of society. Nepal firmly believed that addressing core development issues would help in combating gender discrimination.

13. Nepal was fully committed to the elimination of racism and racial discrimination, and was party to 16 international human rights instruments. Its 1990 Constitution guaranteed equality without discrimination based on race, caste or religion. Particular emphasis was placed on such vulnerable groups as women, children and older persons. Mainstreaming of gender issues was at the centre of the current five-year development plan, and measures for preventing social exclusion based on race and ethnicity had been adopted. Local government officials, police

and members of the judicial system were being sensitized to the issues of racial discrimination and racially motivated crimes, as well. At a time when Nepal had begun to achieve respectable economic growth and social progress under a multi-party democracy, Maoist violence had hampered economic activity and frayed the fabric of society. The Government was seeking a political solution to the problem, but needed increased external assistance to deal with it.

14. **Ms. Ouedraogo** (Burkina Faso), associating her delegation with Morocco's statement on behalf of the Group of 77 and China, said that the Constitution of Burkina Faso guaranteed non-discrimination. Her Government was doing everything possible to ensure effective implementation of the International Convention on the Elimination of All Forms of Racial Discrimination and had begun drafting its thirteenth and fourteenth reports to the Committee on the Elimination of Racial Discrimination. The Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance should cooperate with other human rights bodies, particularly the Committee on the Elimination of Discrimination against Women and the Committee on the Rights of the Child, because women and children, in particular, were often victims of racial discrimination.

15. The African regional consultative meeting in Dakar had enabled African countries to identify problems. The exchange of experience should serve to strengthen policies and programmes of action and determine best practices to combat racism. The Special Rapporteur should conduct a thorough study of the caste system, with the cooperation of Member States and civil society and crucial support of community, religious and traditional leaders.

16. During their joint visit to Côte d'Ivoire, the Special Rapporteur on racism and the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression should take into account the violence endured by the displaced persons, many of whom had been forced to flee the country and leave their property behind. The Special Rapporteur on racism should also work closely with the Special Rapporteur on the human rights of migrants. Such cooperation would serve to improve inter-ethnic relations and offer a broad perspective on the situation.

17. Her Government deplored and condemned the racist propaganda on the Internet, rise in racism in sports, anti-Semitism and Islamophobia mentioned in the report and called for an international agreement such as an additional protocol to the International Convention on the Elimination of All Forms of Racial Discrimination to suppress the use of the Internet for racist purposes. There was also a need to monitor the effectiveness of measures by the International Federation of Association Football and the Union of European Football Associations to combat racism on the part of fans and within sports teams themselves, particularly those that recruit foreigners. The broad debate on anti-Semitism advocated by the Special Rapporteur on racism should lead to a thorough study to properly address the issue. The report of the Commission on Human Rights on Islamophobia should contain recommendations to resolve the issue in accordance with international law. Lastly, her Government stood ready to contribute to the training of French-speaking peoples, especially young people, to halt the spread of HIV/AIDS and combat HIV/AIDS-related discrimination.

18. **Mr. Lukyantsev** (Russian Federation), regretted that racism, xenophobia, discrimination and intolerance continued to fuel violent separatism and terrorism, thereby thwarting the possibility of a fully fledged civil society and sustainable social and economic growth. His delegation attached particular importance to combating racism and sought to ensure optimal conditions for the unfettered development of all of the Russian Federation's various ethnic and religious groups, harmonious inter-ethnic relations, conflict prevention and protection of human rights.

19. Russian legislation fully guaranteed the social, economic, civil and political rights of all people regardless of race, language or creed. National criminal legislation had been enacted, including a law against extremist groups, to bolster the protection of the inalienable rights and freedoms provided for under the Constitution. His Government and law enforcement agencies were also taking steps to ease ethnic tensions, eliminate extremism, hatred and intolerance and educate society, especially the young, about human rights, tolerance and multi-ethnic dialogue.

20. The Russian Federation had submitted its fifteenth to seventeenth periodic reports on the implementation of the Convention on the Elimination of All Forms of Racial Discrimination and was

working to put the Committee recommendations into practice. His delegation expressed concern at discrimination against Russian-speaking citizens in Latvia and Estonia and hoped that the Baltic countries would take all the necessary steps to implement the recommendations of international organizations, including the Committee on the Elimination of Racial Discrimination, to improve the conditions of the Russian-speaking populations. In conclusion, Member States must make every effort to develop a general strategy and machinery to implement the Durban Declaration and Programme of Action. The work of the group of eminent persons appointed by the Secretary-General would contribute greatly to that objective.

21. **Ms. Davtyan** (Armenia) regretted that the denial by some States of the fundamental and inalienable right of peoples to self-determination had led to violent conflicts in many parts of the world. Territorial integrity and the right of people to self-determination were equally valid principles that should be reconciled. A human rights approach could help to ensure that efforts to balance them did not encroach upon democracy and freedoms.

22. With respect to Nagorny Karabakh, Azerbaijan's specious assertion of its right to territorial integrity infringed on the right of the people of Nagorny Karabakh to self-determination, and its jurisdiction over the territory was illegal and unjust. Moreover, Nagorny Karabakh had never been a legitimate part of Azerbaijan. Her Government and the authorities of Nagorny Karabakh had been conducting constructive negotiations, in the spirit of compromise, to resolve the conflict in the region, whereas its Azerbaijani counterparts had impeded a resolution to the conflict by engaging in warmongering and harmful, jingoistic propaganda.

23. **Mr. Akram** (Pakistan), associating his delegation with the statement made by the representative of Morocco on behalf of the Group of 77 and China, said that racism was the most pervasive cause of violations of human rights. Among the current manifestations of racism requiring urgent attention were new ideologies that fostered hatred, discrimination and a clash of civilizations for political ends. The vilification of Muslims — through blasphemous and slanderous remarks by religious leaders and public figures — and discrimination against Muslims had met with tremendous silence on the part of international media, the United Nations, human rights officials and liberal politicians. The international community must not allow the campaign against terrorism to defame Islam or mask efforts to quash the right of peoples to self-determination, as was the case of the Kashmiri people, 80,000 of whom had been killed in the past decade in their struggle for freedom.

24. Furthermore, States must not hide behind the cloak of spurious democratic politics to allow the rise of extremist parties and groups that incited racial hatred and discrimination and violence against minorities and migrants, as had occurred when Narendra Modi of the ruling Bharatiya Janata Party of India had organized the massacre of more than 2,000 Muslims in 2002. The world must be made aware that the rise of Hindu fascism could provoke a holocaust against the Muslims of India and devastating conflict in South Asia. His delegation regretted that the Indian Government had opposed inclusion of the question of the elimination of caste discrimination at the Durban Conference, on which millions of so-called untouchables had pinned great hopes and expressed disappointment at the failure of the report of the Secretary-General on racial discrimination (A/58/313) to address the use of racism in electoral politics.

25. **Mr. Israfilov** (Azerbaijan), speaking in exercise of the right of reply, said that the representative of Armenia had wrongly presented Armenia's infringement on the sovereignty and territorial integrity of Azerbaijan and its attempts to create a second, mono-ethnic Armenian State as a struggle for self-determination, and had falsified history with respect to Nagorny Karabakh. The United Nations response to Armenia's groundless claims could be found in Security Council resolutions 822 (1993), 853 (1993), 874 (1993) and 884 (1993), which recognized his country's sovereignty over Nagorny Karabakh and other occupied territories of Azerbaijan and called for the immediate withdrawal of the occupying forces. Armenia continued to flout those Security Council resolutions by occupying 20 per cent of Azerbaijani territory.

The meeting rose at 4.35 p.m.